

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

of the **PATENT APPLICATION** of:

Stager et al.

Application No.: 10/771,613

Confirmation No.: 3439

Filed: February 4, 2004

For: METHOD AND SYSTEM FOR STORING
DATA USING A CONTINUOUS DATA
PROTECTION SYSTEM

Group: 2114

Examiner: Dieu Minh T. Le

Our File: NET-P01-2286.01

Date: July 17, 2007

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to Applicant's Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicants wish to bring to the Examiner's attention the material cited on the enclosed Form PTO-1449.

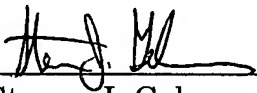
The listed references include references previously cited in this application. Newly cited documents are indicated by an asterisk (*) on the enclosed Form PTO-1449. Copies of the newly cited documents are enclosed. Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the newly cited U.S. publications and/or patent documents have not been included.

Applicant: Stager et al.
Application No.: 10/771,613

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the Form PTO-1449 indicating his consideration of the cited materials.

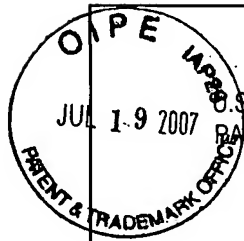
Respectfully submitted,

Stager et al.

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SJG/ci
Enclosures



FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.
NET-P01-2286.01SERIAL NO.
10/771,613APPLICANT
Stager et al.FILING DATE
February 4, 2004GROUP
2114

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,635,145	01/1987	Horie et al.			
	*	4,727,512	02/1988	Birkner et al.			
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EXAMINER

DATE CONSIDERED

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	APPLICANT Stager et al.	
	FILING DATE February 4, 2004	GROUP 2114

		6,029,179	02/2000	Kishi			
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		2003/0182350	09/2003	Dewey			
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FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	*	EP1333379	04/2006	Bolt, Thomas				
		EP1 671231	06/2006	Rowan et al.				
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		WO2006/023992	03/2006	Passerini, Ron				
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		WO2006/023994	03/2006	Rowan et al.				
		WO2006/023995	03/2006	Perry, Robert				
OTHER DOCUMENTS								
EXAMINER INITIAL		DESCRIPTION (Including Author, Title, Date, Pertinent Pages, Etc.)						
		"Alacritus Software's Securitus I: Pointing the Way to Virtual Tape Libraries" Aberdeen Group, Inc., March 2002.						
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		"Alacritus Software's Securitus: Defining the Way to Virtual Tape Libraries" Aberdeen Group, Inc., July 2003.						

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		"Product Brief: Rhapsody/Alacritus-Secritus/XPath Virtual Tape in the Fabric" The Enterprise Storage Group, August 2002.
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		"Alacritus Software Announces Virtual Tape Library Support for Legato NetWorker Data Protection Solution" Alacritus Software, Inc., January 8, 2002.
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		"Disk-Based Data Protection" Alacritus Software, Inc., September 2002.
		Payack, Paul JJ, "Alacritus Lines Up OEM Partners for Virtual Tape Library Push" The (451) Storage & Systems, October 4, 2002.
		Payack, Paul JJ, "Alacritus Software Announces Continuous Data Protection with New Chronospan Technology" October 28, 2003.
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		Baltazar, Henry "More Intelligence is on the Way" eWEEK, September 15, 2003.
		Barrett, Alex "The Case for Network Smarts" Storage Magazine, June 2003.
		"Securitus White Paper: Disk Based Data Protection from Alacritus Software" Alacritus Website, October 2003.
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		"Alacritus Software Announces Securitus I, the Industry's First Virtual Tape Library Solution: Securitus I Heralds Advent of 'Disruptive Technology' that Serves as Replacement to Tape Libraries" Alacritus Software, Inc., April 9, 2002.
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		"Alacritus Software and Rhapsody Networks to Develop Breakthrough Backup Solutions for Storage Networks: Companies to Provide First Network-Intelligent Virtual Tape Solution Resulting in Dramatic ROI, Increases in Data Backup Performance and Scalability" Alacritus Software, July 8, 2002.
		Komiega, Kevin, "Vendor Pushes Disk Backup Over Tape" SearchStorage.com January 10, 2003.
		"Testimonials" Alacritus Website, October 2003.
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		"Scalability: Securitus v. Tape" Alacritus Website, October 2003.
		"Strengths: Securitus v. Tape " Alacritus Website, October 2003.
		"Alacritus Announces Disk-Based Successor to Tape" Knapp Comm., August 21, 2002.

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